

**UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF IOWA**

In re:

PROPERTY HOLDERS, LTD

,

Debtor.

Chapter 11
Case No. 22-00744

MOTION TO APPEAR BY TELEPHONE

COMES NOW Dupaco Community Credit Union (“Dupaco”), by its counsel, O’Connor & Thomas, P.C., and hereby moves this Court for entry of an order under Local Rule 9074-1 allowing such counsel to appear by telephone at the hearing on the confirmation of the Modified Plan of Reorganization dated April 10, 2023 (the “Modified Proposed Plan”) [Doc. 111] set for Tuesday, May 23, 2023 at 10:00 a.m. (the “Confirmation Hearing”). In support of this Motion, Dupaco respectfully states the following

1. On April 10, 2023, Property Holders, Ltd (the “Debtor”) filed the Modified Proposed Plan.

2. On May 11, 2023, Dupaco filed an objection to the Modified Proposed Plan (the “Objection”) [Doc. 123].

3. Since the filing of the Objection, counsel for Dupaco and the Debtor, along with Doug Flugum, the Subchapter V Trustee, have engaged in multiple discussions in an effort to resolve the Objection.

4. Based upon those discussions, Debtor and Dupaco have reached an agreement pursuant to which the Modified Proposed Plan would be amended to include the terms that counsel for the Debtor has agreed to read into the record during the Confirmation Hearing, following which Dupaco would agree to verbally withdraw the Objection.

5. In light of such agreement, Dupaco asserts that requiring its counsel to travel to Cedar Rapids, Iowa for the Confirmation Hearing would result in an unnecessary expense to the bankruptcy estate, as the Debtor is obligated under its loan documents to pay Dupaco’s attorneys’ fees.

6. Counsel for the Debtor has authorized Dupaco to represent to the Court that the Debtor has no objection to Dupaco’s appearance at the Confirmation Hearing by telephone.

WHEREFORE, Dupaco requests that its counsel be allowed to appear at the Confirmation Hearing telephonically.

DUPACO COMMUNITY CREDIT UNION,
Secured Creditor,

By: /s/ Tonya A. Trumm

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ATTORNEYS FOR DUPACO COMMUNITY
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